
HOUSE BILL 1638

State of Washington

55th Legislature

1998 Regular Session

By Representative Kessler; by request of Secretary of State

Read first time 02/04/97. Referred to Committee on Government Administration.

1 AN ACT Relating to an absentee ballot request; and amending RCW
2 29.36.010 and 29.36.035.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 29.36.010 and 1991 c 81 s 29 are each amended to read
5 as follows:

6 Any registered voter of the state or any out-of-state voter,
7 overseas voter, or service voter may vote by absentee ballot in any
8 general election, special election, or primary in the manner provided
9 in this chapter. Out-of-state voters, overseas voters, and service
10 voters are authorized to cast the same ballots, including those for
11 special elections, as a registered voter of the state would receive
12 under this chapter.

13 (1) Except as provided in subsections (2) and (3) of this section,
14 in RCW 29.36.013, and in RCW 29.36.170, a registered voter or elector
15 desiring to cast an absentee ballot must request the absentee ballot
16 from his or her county auditor no earlier than forty-five days nor
17 later than the day (~~before~~) of any election or primary. Except as
18 provided in subsection (3) of this section and in RCW 29.36.170, the
19 request may be made orally in person, by telephone, or in writing. An

1 application or request for an absentee ballot made under the authority
2 of any federal statute or regulation shall be considered and given the
3 same effect as a request for an absentee ballot under this chapter.

4 (2) For any registered voter, a request for an absentee ballot for
5 a primary shall be honored as a request for an absentee ballot for the
6 following general election if the voter so indicates in his or her
7 request. For any out-of-state voter, overseas voter, or service voter,
8 a request for an absentee ballot for a primary election shall also be
9 honored as a request for an absentee ballot for the following general
10 election.

11 (3) A voter (~~(admitted to a hospital no earlier than five days~~
12 ~~before a primary or election and))~~ confined to the hospital on election
13 day may apply by messenger for an absentee ballot on the day of the
14 primary or election (~~(if a signed statement from the hospital~~
15 ~~administrator, or designee, verifying the voter's date of admission and~~
16 ~~status as a patient in the hospital on the day of the primary or~~
17 ~~election is attached to the voter's written application for an absentee~~
18 ~~ballot))~~).

19 (4) In a voter's request for an absentee ballot, the voter shall
20 state the address to which the absentee ballot should be sent. A
21 request for an absentee ballot from an out-of-state voter, overseas
22 voter, or service voter shall state the address of that elector's last
23 residence for voting purposes in the state of Washington and either a
24 written application or the oath on the return envelope shall include a
25 declaration of the other qualifications of the applicant as an elector
26 of this state. A request for an absentee ballot from any other voter
27 shall state the address at which that voter is currently registered to
28 vote in the state of Washington or the county auditor shall verify such
29 information from the voter registration records of the county.

30 (5) A request for an absentee ballot from a registered voter who is
31 within this state shall be made directly to the auditor of the county
32 in which the voter is registered. An absentee ballot request from a
33 registered voter who is temporarily outside this state or from an out-
34 of-state voter, overseas voter, or service voter may be made either to
35 the appropriate county auditor or to the secretary of state, who shall
36 promptly forward the request to the appropriate county auditor. No
37 person, organization, or association may distribute absentee ballot
38 applications within this state that contain any return address other
39 than that of the appropriate county auditor.

1 (6) A person may request an absentee ballot for use by the person
2 as a registered voter and may request an absentee ballot on behalf of
3 any member of that person's immediate family who is a registered voter
4 for use by the family member. As a means of ensuring that a person who
5 requests an absentee ballot is requesting the ballot for only that
6 person or a member of the person's immediate family, the secretary of
7 state shall adopt rules prescribing the circumstances under which an
8 auditor: May require a person who requests an absentee ballot to
9 identify the date of birth of the voter for whom the ballot is
10 requested; and may deny a request which is not accompanied by this
11 information.

12 **Sec. 2.** RCW 29.36.035 and 1984 c 27 s 2 are each amended to read
13 as follows:

14 The delivery of an absentee ballot for any primary or election
15 shall be subject to the following qualifications:

16 (1) Only the voter, himself, or a member of his family may pick up
17 an absentee ballot at the office of the issuing officer unless the
18 voter is hospitalized on election day and applies by messenger in
19 accordance with RCW 29.36.010 for an absentee ballot on the day of the
20 primary or election. In this latter case, the messenger may pick up
21 the hospitalized voter's absentee ballot.

22 (2) Except as noted in subsection (1) above, the issuing officer
23 shall mail the absentee ballot directly to each applicant.

24 (~~(3) No absentee ballot shall be issued on the day of the primary~~
25 ~~or election concerned, except as provided by RCW 29.36.010, for a voter~~
26 ~~confined to a hospital on the day of a primary or election.))~~

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